

REMARKS

Claims 1 and 6-9 are pending. Claims 2-5 and 10-40 are cancelled herein without prejudice and the Applicant reserves the right to further prosecute these claims in one or more continuing applications. Claim 1 is amended to incorporate the limitations of cancelled claim 5. Claim 6 is amended to depend from claim 1.

Interview Summary

The Applicant wishes to thank the Examiner and her Supervisor for discussing the amendments proposed herein on March 18, 2008. The Applicant discussed potential claim amendments with the Examiners. No final decision was reached.

35 U.S.C. §112, second paragraph

Claims 1 and 3-18 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically the Advisory Action indicates that the word *derived* “does not provide sufficient metes and bounds of what the Applicant intends.” The Applicant does not agree with this rejection; however, the claims are amended to facilitate prosecution.

Amended claim 1 recites “providing a cell culture of multipotent neural stem cells obtained from neural tissue” and “contacting the multipotent neural stem cells with an effective amount of at least one oligodendrocyte promoting factor under conditions that result in production of oligodendrocytes from the multipotent neural stem cells.” Thus, claim 1 now incorporates the limitations of claim 5 and uses the word “obtained” rather than “derived” as suggested by the Examiner. These amendments to claim 1 are believed to overcome the rejection under 35 U.S.C. § 112, second paragraph, and allowance is requested.

Claims 6-9 depend from claim 1, thus, for the reasons above, these claims are believed to be allowable and allowance is requested.

35 U.S.C. §112, first paragraph

Claims 1, 3-4, and 10-18 are rejected under 35 U.S.C. § 112, first paragraph, for “not reasonably provid[ing] enablement for a method of producing oligodendrocytes from all types of

neural stem cells from any mammal at any development stage while the cells are located in a mammal other than a rodent (i.e. humans).”

As amended, claim 1 now incorporates the features of claim 5 as discussed above. As claim 5 was not included in this rejection under 35 U.S.C. § 112, first paragraph, the features of claim 5 that have been added to claim 1 place amended claim 1 outside the scope of this rejection. The Applicant requests that the rejection of amended claim 1 under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 3-4 and 10-18 are cancelled herein, so the rejection of these claims under 35 U.S.C. § 112, first paragraph, is now moot.

Conclusions

For the reasons set forth above, the Applicant submits that the claims of this application are allowable. Reconsideration and withdrawal of the Examiner's rejections are hereby requested. Allowance of the claims remaining in this application is earnestly solicited. At a minimum, the Applicant requests entry of the Amendment so that the application is in condition for appeal.

The Applicant believes that all the issues raised by the Examiner have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Further, the amendment of any claim herein does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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In the event that a telephone conversation could expedite the prosecution of this application, the Examiner is requested to call the undersigned at 404-892-5005.

Pursuant to 37 CFR §1.136, the Applicant hereby petitions that the period for response to the action dated October 15, 2007, be extended for three months to and including April 15, 2008. Enclosed is a three-month Petition for Extension of Time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 3-21-08



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